


**SECRET****UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY**

Washington, D.C. 20451

State Dept. review completed

**OFFICE OF  
THE DIRECTOR****November 27, 1982****MEMORANDUM**

**TO: Adm. Howe**  
**FROM: Robert T. Grey**   
**SUBJECT: ABM Treaty Review Final Document**

The instructions to the U.S. SCC Commissioner for the special session to review the ABM Treaty call for an agreed final document summarizing the results of the review. At a meeting of the IG on November 19, it was decided to propose that there be no final document, in order to avoid a reaffirmation of the Treaty which might complicate our case that BMD is an option available for enhancing the survivability of MX, and to resolve problems with both the U.S. and Soviet draft texts for an agreed final document.

Subsequently, several agencies have proposed that rather than no final document, the U.S. seek a short document stating simply that the review was undertaken and it was decided not to amend the Treaty at this time. Some believe that such a public document would support efforts to seek congressional approval of MX and would be preferable to no final document. In addition, Amb. Ellis has recommended against a no-final-document approach.

Representatives of all agencies except OSD have cleared the attached instructions to the U.S. Commissioner. In their view, such an agreed final document would support the effort to secure approval of the MX program in Congress, and the administration's position that MX does not require immediate changes to the ABM Treaty but BMD is a potential option to enhance MX survivability against future threats. The absence of a public document, or divergent U.S. and Soviet public statements, would call into question the status of the Treaty, which could have adverse consequences for MX and for the credibility of the administration's overall arms control approach. The delegation would be instructed to reject Soviet proposals to add provisions that go beyond the statement that the Treaty had been reviewed, and no amendments are necessary at this time.

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OSD believes that the SCC Component should be instructed not to reach agreement on a joint final document. Instead, a press release could be issued from Washington following the close of the ABM Treaty Review. Such a press release could note simply that the Review had been held; additional matters could be discussed if it appeared to be in our interest to do so at that time. Any attempt to negotiate a joint statement with the Soviets will inevitably lead us to say more about the Treaty than is consistent with our goal of maintaining maximum flexibility. In any case, there is a certain amount of heat connected with the BMD growth option that we will inevitably have to face. A "bare bones" joint final document will not avoid this, since its tone will differ sufficiently from past statements to enable critics to charge that the ABM Treaty has been endangered. Furthermore, the Soviets will be able to make the point that it was the U.S. which prevented the statement from praising the Treaty in an enthusiastic manner. By means of a unilateral statement, we can offer assurances about our current adherence to the ABM Treaty without having to say anything that could add to the difficulties of modifying it in the future. If we deemed it advisable at the time, we could point out the threats to the future viability of the Treaty; otherwise, we could be silent on all substantive matters without implying that we saw no need for possible modifications to the Treaty.

Attachment:  
Instructions to U.S.  
Commissioner

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**DRAFT CABLE TO US SCC COMPONENT**

**SUBJECT: FINAL DOCUMENT**

**REFERENCE: (A) SCC-XXIII-023 (B) STATE 326699**

**1. WASHINGTON HAS REVIEWED DELEGATION RECOMMENDATIONS REF (A), AND CONCLUDED THAT THE OPTIONAL FINAL DOCUMENT FOR THE US WOULD BE A VERY BRIEF AGREED DOCUMENT ALONG THE FOLLOWING LINES:**

**BEGIN TEXT:**

-- **STANDING CONSULTATIVE COMMISSION**  
 -- **FINAL DOCUMENT**  
 -- **OF THE**  
**SECOND REVIEW OF THE TREATY BETWEEN THE UNITED STATES OF AMERICAN AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972**  
 --

**PURSUANT TO THE PROVISIONS OF ARTICLE XIV OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972, HEREINAFTER REFERRED TO AS THE TREATY, WHICH ENTERED INTO FORCE ON OCTOBER 3, 1972, AND WAS AMENDED BY THE PROTOCOL THERETO OF JULY 3, 1974, THE PARTIES TOGETHER CONDUCTED A REVIEW OF THE TREATY AFTER ITS SECOND FIVE-YEAR PERIOD OF OPERATION. BY THE AGREEMENT BETWEEN THE PARTIES, THE REVIEW WAS CONDUCTED FROM NOVEMBER 9, 1982 TO \_\_\_\_\_, 1982, IN A SESSION OF THE STANDING CONSULTATIVE COMMISSION SPECIALLY CONVENED FOR THAT PURPOSE.**

**DURING THE COURSE OF THE REVIEW THE PARTIES CAREFULLY EXAMINED THE PREAMBLE AND EACH ARTICLE OF THE TREATY AND EVALUATED THE IMPLEMENTATION OF EACH IN THE PERIOD COVERED BY THE REVIEW. IT WAS AGREED THAT THE TREATY REQUIRES NO AMENDMENT AT THIS TIME.**

**THE PARTIES REAFFIRMED THEIR MUTUAL COMMITMENT TO THE PROCESS OF CONSULTATION WITHIN THE FRAMEWORK OF THE STANDING CONSULTATIVE COMMISSION TO PROMOTE THE IMPLEMENTATION OF THE OBJECTIVES OF THE TREATY.**

**END TEXT.**

**2. ON TACTICS TO ACHIEVE THIS RESULT, WASHINGTON BELIEVES IT IS UNNECESSARY TO TABLE A REVISED VERSION OF THE CURRENT US DRAFT TEXT INCORPORATING CHANGES SO LONG AS IT IS CLEAR THAT THE OUTCOME WE SEEK IS A**

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DOCUMENT AS DESCRIBED IN PARA 1 ABOVE. US COMPONENT SHOULD PROCEED TO ADDRESS THE QUESTION OF A FINAL DOCUMENT, WITHOUT MODIFYING THE CURRENT US DRAFT TEXT, AND AT AN APPROPRIATE TIME SHOULD PROPOSE TO RESOLVE THE DIFFERENCES BETWEEN THE US AND SOVIET DRAFTS BY MEANS OF A MUCH BRIEFER APPROACH AS SET FORTH IN PARA 1 ABOVE.

3. THE US COMPONENT SHOULD NOT PURSUE AS CLASSIFIED FINAL DOCUMENT INCORPORATING THE SEPARATE VIEWS OF THE PARTIES. THE PLENARY STATEMENTS CONSTITUTE AN ADEQUATE CLASSIFIED RECORD OF THE REVIEW.

4. THE US COMPONENT SHOULD REJECT ANY SOVIET ATTEMPTS TO INCORPORATE LANGUAGE FROM THE FIRST THREE SUBPARAS OF PARA 1 OF THEIR DRAFT ("OPERATING EFFECTIVELY," "SERVES THE INTERESTS OF BOTH PARTIES," FACILITATES THE STRENGTHENING OF TRUST," ETC.)

5. PRIOR TO THE END OF THE REVIEW, THE US COMMISSIONER SHOULD PLACE ON THE RECORD A STATEMENT THAT THE US RESERVES THE RIGHT TO RETURN TO SUBJECT ADDRESSED IN THE REVIEW, AND TO ANY OTHER SUBJECT RELATED TO THE TREATY, AT ANYTIME IN THE FUTURE.

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